

RESPONSE TO RESTRICTION REQUIREMENT
U.S. Appln. No. 09/856,035

REMARKS

Support for new Claims 21-40 can be found, *inter alia*, in cancelled Claims 11-20, and the examples provided in the present specification.

On page 2 of the Office Action, the Examiner issues a Restriction Requirement under 35 U.S.C. § 121 to one of the inventions of the following groups:

- Group I - Claims 11-14, drawn to a method of treating photosensitization in a patient in need thereof;
- Group II - Claims 15-16 and 18, drawn to a method of inhibiting proliferation in cells via cellular contact;
- Group III - Claim 17, drawn to a method for inhibiting cellular secretion of cytokines IL-6 and IL-8 via irradiating cells with UV light followed by cellular contact;
- Group IV - Claim 18, drawn to a method of treating psoriasis in a patient in need thereof;
- Group V - Claim 19, drawn to a method for inhibiting plasma fibrinogen in a patient in need thereof; and
- Group VI - Claim 20, drawn to a method for reducing Apolipoprotein B/Apolipoprotein A-1 quotient in a patient in need thereof.

On page 3 of the Office Action, the Examiner contends that the Restriction Requirement is proper because the groups lack the same or corresponding special technical features, i.e., the

RESPONSE TO RESTRICTION REQUIREMENT
U.S. Appln. No. 09/856,035

special technical feature of each inventive group is providing a particular functional effect (which is different and distinct from the functional effect of the other groups) to a patient or to cells in need of the particular functional effect which is not shared by the other groups.

Applicants hereby elect the invention of Group V (new Claims 32-40), with traverse with respect to Groups V-VI.

Applicants respectfully submit that the application contains at most only two inventions.

(1) Groups I-IV: Use of a *Curcuma longa* extract as a photosensitization agent and its use for the treatment of proliferative diseases, e.g., psoriasis.

(2) Group V-VI: Use of a *Curcuma* extract as a fibrinogen reducer and its use for treatment of cardiovascular diseases.

According to PCT Rule 13.2 and PCT Administrative Instructions Annex B Unity of Inventions, paragraphs b) and c), the requirements of unity are satisfied because Groups I-IV are linked by a common inventive concept: use of *Curcuma longa* extract for treating proliferative diseases, e.g., psoriasis.

In this regard, Applicants hereby amend the claims (add new claims 21-31) in order to link the features described in Groups I-IV in only one independent claim. Thus, this invention complies with the unity requirement according to paragraph c) Annex B, PCT Administrative Instructions.

The inventive concept is to provide a new method for the treatment of proliferative diseases, the solution found by Applicants is, as is cited in new Claim 21; to combine a *Curcuma* extract AND radiation.

RESPONSE TO RESTRICTION REQUIREMENT
U.S. Appln. No. 09/856,035

The combination of the *Curcuma* extract and radiation gives rise to:

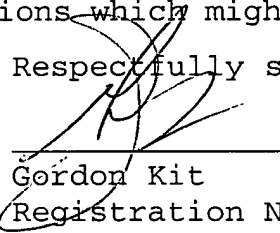
- An improvement in the patient, Example 3, 7.
- An inhibition of cytokines production, as is shown the *in vitro* studies, Example 4
- An inhibition of proliferation in cells, which is enhanced with radiation, Example 6.

In addition, Applicants add new Claims 32-40 combining Groups V and VI into one independent claim.

The inventive concept of this invention is to provide a new method for treating cardiovascular diseases by reducing fibrinogen levels without modify coagulation parameters. The risk of atheroma can be avoided reducing Apo B/Apo A-1 ratio, this feature corresponds to Group VI. Thus, Group V and VI are linked by a common inventive concept, i.e., to treat cardiovascular diseases and to reduce atheroma risk.

The Examiner is invited to contact the undersigned at his Washington telephone number on any questions which might arise.

Respectfully submitted,



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